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Attorneys for Plaintiff
ORACLE AMERICA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE INC.

Defendant.

Case No. CV 10-03561 WHA

**DECLARATION OF MARC DAVID
PETERS IN SUPPORT OF ORACLE
AMERICA, INC.'S OPPOSITION TO
GOOGLE INC.'S SECOND MOTION TO
STRIKE PORTIONS OF THE
MITCHELL PATENT REPORT**

Date: October 13, 2011
Time: 8:00 a.m.
Dept.: Courtroom 8, 19th Floor
Judge: Honorable William H. Alsup

1 I, Marc David Peters, declare as follows:

2 I am a partner at Morrison & Foerster LLP and am counsel of record to Plaintiff Oracle
3 America, Inc. I have personal knowledge of the matters set forth herein and, if called to testify,
4 could and would testify competently to the following.

5 1. Attached hereto as Exhibit A is a true and correct copy of relevant portions of the
6 Opening Expert Report of John C. Mitchell Regarding Patent Infringement, served on August 8,
7 2011.

8 2. Attached hereto as Exhibit B is a true and correct copy of relevant portions of
9 Defendant Google Inc.'s Fifth Supplemental Responses to Plaintiff's Interrogatories, Set One,
10 No. 3, served on August 1, 2011.

11 3. Attached hereto as Exhibit C is a true and correct copy of relevant portions of
12 Appendix A to the Expert Report of Terence Parr, Ph.D. Regarding the Non-Infringement of U.S.
13 Patent No. 6,061,520, served on August 25, 2011.

14 I declare under penalty of perjury under the laws of the United States that to the best of
15 my knowledge the foregoing is true and correct. Executed on October 4, 2011, in Palo Alto,
16 California.

17 /s/ Marc David Peters
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20 I hereby attest that Marc David Peters concurs in the e-filing of this document.

21 /s/ Michael A. Jacobs
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